

REMARKS

By this paper, no claims have been amended, added, or canceled, such that claims 1-12 and 24-34 remain pending, of which claims 1 and 24 are the only independent claims at issue.

The Office Action, mailed March 21, 2008, considered and rejected claims 1-12 and 24-34. Claims 1, 3-12, 24, and 26-34 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Smith (U.S. Publ. No. 2002/0152399) in view of Gilbert et al. (U.S. Patent No. 5,530,848). Claims 2 and 25 were rejected under U.S.C. § 103(a) as being unpatentable over Smith and Gilbert in view of Callas et al. (U.S. Publ. No. U.S. 2006/0015736).¹

As presented in the previous response, Applicant's claimed invention is generally directed to processing previously failed messages. For example, the claim 1 recites a method for processing a portion of a message where an attempt to previously process the message failed. In the method, state information corresponding to the message is logged to a log of state information, wherein the state information identifies the status of the message at the time the state information was logged. The state information is accessed and the state information logged for the message is used to identify whether the message previously failed to process. Then, in response to an identification that the message previously failed to process, second state information is logged to the log of state information indicating that the message is being de-featured according to a first rule. A portion of the message is then removed in accordance with the first rule to increase the likelihood of the message processor being able to appropriately process the message. The message is then reprocessed.

With regard to the rejection of the independent claims, Applicant respectfully submits that the combination of Smith and Gilbert fail to teach, suggest, or reasonably support all of the claimed elements. In view of this failure, Applicant submits that the claims are allowable over the cited art. Furthermore, Applicant respectfully submits that at least dependent claims 2 and 34 contain elements not contained in the cited art and that the elements are not addressed by the Office Action. For at least these reasons, Applicant respectfully submits that dependent claims 2 and 34 are allowable over the cited art in addition to the reasons presented with regard to the independent claims.

¹ Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

It will be noted that the independent claims were rejected in view of the combination of Smith and Gilbert. Smith discloses embodiments for providing protection from exploits to devices connected to a network. In Smith, a component determines whether an encapsulation has been applied to an attachment, a second component scans messages for exploits and a third component holds and cleans messages that include exploits. Gilbert discloses embodiments for interfacing external processes to a transaction processing system. In Gilbert, input messages are accepted from external processes and an interface system logs received messages and notifies the transaction processing system that a message has been received for processing. The interface system sends a confirmation to the external process indicating that the message has been received. Furthermore, the interface system periodically examines the status of each message as it is being processed by the transaction processing system. Output status messages indicative of such status can then be created, stored, and sent to an external destination for informational purposes.

In the rejection of claim 1, the combination of Smith and Gilbert is cited as teaching accessing the log of state information and utilizing the state information logged for the message to identify whether the message previously failed to process. However, while Gilbert discloses logs and Smith discloses exploited messages, there is no teaching within Gilbert and Smith to suggest or support that a log can be accessed to determine if the message failed to process previously. The Office Action states that control records are updated based on information whether processing of a message is "complete." However, the fact that a message is complete fails to identify whether the message previously failed to process. A message can be awaiting processing, but have no previous failures, or a message could be processed completely, but have had a previous failure.

The combination of Smith and Gilbert is further cited as teaching in response to an identification that the message previously failed to process, logging a second state information to the log of state information indicating that the message is being de-featured according to a first rule. While Gilbert discloses logging of messages, there is no indication within the cited art that the state information indicates that the message is being de-featured according to a first rule and no teaching or suggestion that the state information would change if a previous error were detected. Gilbert fails to discuss the defeaturing of messages in any manner; therefore, there is no reason to expect such an indication to occur within the logs of Gilbert. Furthermore, within

Gilbert the transaction processing system does not read the status of the messages from the log file. Instead, the acknowledgement subsystem reads the log to indicate the status of a message to the external application. Since the transaction processing system does not read from the log file, and the acknowledgement system does not process the messages, Gilbert cannot teach responding to an indication that the message previously failed and logging a second state.

In regard to the rejection of dependent claim 2, the Office Action asserts that the combination of Smith, Gilbert, and Callas discloses the claim elements of attempting to process the message and logging state information to the log of state information indicating that message processing has started and logging state information indicating that the message successfully processed only in response to the message processing completing successfully. However, no support is asserted or provided within the Office Action to demonstrate where such elements are taught by the cited art. Instead, the Office Action repeats the rejection of independent claim 1, and then cites Callas as disclosing generating an identifier for the message. Nowhere within the Office Action is found a discussion of attempting to process the message and logging state information to the log of state information indicating that message processing has started and logging state information indicating that the message successfully processed only in response to the message processing completing successfully. In other words, the Office Action entirely ignores elements recited in the claims, and thus does not even assert that such elements are taught, suggested, or supported by the art of record.

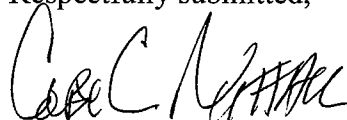
With regard to the rejection of dependent claim 34, the Office Action asserts that Smith in view of Gilbert discloses the method of claim 1 further comprising the act of scanning the log of state information in order to find messages that have not processed successfully in response to an event comprising one of (1) system reboot, (2) process restart, or (3) thread restart. However, within the rejection of claim 34, there is no reference to a system reboot, a process restart, or a thread restart. While the interface of Gilbert is event-driven, the only example of what would constitute an event is the transmission of a message. Furthermore, in the discussion of events, Gilbert fails to discuss scanning the log of state information to find message that have not processed successfully. This element occurs in response to the event. Gilbert fails to teach or suggest the specific event occurring and further fails to teach or suggest the event being related to a scan of a log information to find messages that have not processed successfully.

In view of the foregoing, Applicant respectfully submits that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicant acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice. Instead, Applicant reserves the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicant specifically requests that the Examiner provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at (801) 533-9800.

Dated this 20th day of June, 2008.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Rick D. Nydegger", written over the printed name.

RICK D. NYDEGGER
Registration No. 28,651
COLBY C. NUTTALL
Registration No. 58,146
JOHN C. BACOCK
Registration No. 59,890
Attorneys for Applicant
Customer No. 47973

RDN:CCN:JCB:gd